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2  
3 BILL NO. G-77-01- 34 (as Amended)

4  
5 GENERAL ORDINANCE NO. G- 04-77

6 AN ORDINANCE REQUIRING APPROVAL  
7 OF CONTRACTS INVOLVING EXPENDITURE  
8 OF \$2,000.00 OR MORE BY COMMUNITY  
9 DEVELOPMENT AND PLANNING DEPARTMENT  
10 AND NEIGHBORHOOD CARE, INC.

11 WHEREAS, the Common Council of the City of Fort Wayne,  
12 Indiana has the power to supervise all departments of the  
13 government of such city; and

14 WHEREAS, Community Development and Planning is a  
15 Department of the City of Fort Wayne, Indiana, and

16 WHEREAS, Neighborhood Care, Inc. was created for the  
17 purpose of implementing the housing and relocation program;

18 NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL  
19 OF THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That the Community Development and  
21 Planning Department and Neighborhood Care, Inc. shall  
22 have the power to enter into contracts for the purchase  
23 of any real estate or personal property and for any services  
24 or work, except for loans and grants, and to enter into  
25 any Lease, except for loans and grants, without any approval  
26 of the Common Council of the City of Fort Wayne, Indiana  
27 only where the amount to be expended does not exceed the  
28 sum of \$2,000.00, but where it exceeds said amount said  
29 Contract, or Lease must be approved or ratified by Ordinance  
30 of the Common Council of the City of Fort Wayne, Indiana.

31 SECTION 2. This Ordinance shall be in full force and  
32 effect from and after its passage and approval by the Mayor  
33 of the City of Fort Wayne, Indiana.

34  
35 William T. Kinga  
Councilman

Approved as to form and legality  
this 18 day of January, 1977.

John H. Logan  
John H. Logan, Attorney for Common  
Council of the City of Fort Wayne, In.

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by Stier, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~1976~~) by the following vote: 2/3 needed vote to override the Mayor's Veto

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>6</u>	<u>3</u>			
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER		<u>✓</u>			
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.		<u>✓</u>			
SCHMIDT, V.		<u>✓</u>			
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 2-8-77

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. 20476 on the 8th day of Feb., 1976.

ATTEST: (~~SEAL~~)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved (and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

Bill No. G-77-01-24 (as amended)

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
requiring approval of all contracts involving expenditure of \$2,000.00  
or more by Community Development and Planning Department

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance So PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

*William T. Hinga*

*James S. Stier*  
*Vivian G. Schmidt*  
*Paul M. Burns*  
*Fredrick Hunter*

1  
2  
3 BILL NO. G-77-01-24

4 GENERAL ORDINANCE NO. G-\_\_\_\_\_

5 AN ORDINANCE REQUIRING APPROVAL  
6 OF ALL CONTRACTS INVOLVING EXPENDITURE  
7 OF \$2,000.00 OR MORE BY COMMUNITY  
8 DEVELOPMENT AND PLANNING DEPARTMENT.

9 WHEREAS, the Common Council of the City of Fort Wayne,  
10 Indiana has the power to supervise all departments of the  
11 government of such city; and

12 WHEREAS, Community Development and Planning is a  
13 Department of the City of Fort Wayne, Indiana.

14 NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL  
15 OF THE CITY OF FORT WAYNE, INDIANA:

16 SECTION 1. That the Community Development and  
17 Planning Department shall have the power to enter into  
18 contracts for the purchase of any real estate or personal  
19 property and for any services or work, and to enter into  
20 any Lease <sup>loan or grant</sup> without any approval of the Common Council of  
21 the City of Fort Wayne, Indiana only where the amount to  
22 be expended does not exceed the sum of \$2,000.00, but <sup>loan or grant</sup>  
23 where it exceeds said amount said Contract, or Lease, must  
24 be approved or ratified by Ordinance of the Common Council  
25 of the City of Fort Wayne, Indiana.

26 SECTION 2. This Ordinance shall be in full force and  
27 effect from and after its passage and approval by the Mayor  
28 of the City of Fort Wayne, Indiana.

29 William T. Logan  
30 Councilman

31 Approved as to form and legality  
32 this 17th day of January, 1977.

33 John H. Logan  
34 John H. Logan, Attorney for Common  
35 Council of the City of Fort Wayne, Indiana.

Read the first time in full and on motion by Gergo, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 1-11-77

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Gergo, seconded by D. Schmidt, and duly adopted, placed on its passage.

PASSED (~~NOT~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<input checked="" type="checkbox"/>				
HINGA	<input checked="" type="checkbox"/>				
HUNTER	<input checked="" type="checkbox"/>				
MOSES	<input checked="" type="checkbox"/>				
NUCKOLS	<input checked="" type="checkbox"/>				
SCHMIDT, D.	<input checked="" type="checkbox"/>				
SCHMIDT, V.	<input checked="" type="checkbox"/>				
STIER	<input checked="" type="checkbox"/>				
TALARICO	<input checked="" type="checkbox"/>				

DATE: 1-25-77

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. 2-04-77 on the 25th day of Jan, 1976.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1976, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

[Signature]  
MAYOR

G-77-01-24

amended.

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted; read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

*Lost*  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>3</u>	<u>6</u>			
BURNS		✓			
HINGA		✓			
HUNTER	✓				
MOSES		✓			
NUCKOLS		✓			
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER		✓			
TALARICO		✓			

DATE: \_\_\_\_\_

*Charles W. Wintersman*  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_.

ATTEST:

(SEAL)

*Charles W. Wintersman*  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

*Charles W. Wintersman*  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

I have received Mayor Armstrong's veto  
message of Bill No. G-77-01-24 (as amended)  
at 4:45 p.m. February 4, 1977.

Naik Estoff  
Office of the City Clerk



FORT WAYNE, INDIANA 46802

office of the mayor

February 4, 1977

**TO THE MEMBERS OF THE COMMON COUNCIL:**

After much deliberation, I have decided to veto Bill No. G-77-01-24 (as amended), General Ordinance No. G-04-77. I have taken this action after careful consideration for the following reasons:

State statutes already seem to cover the same area attempted to be regulated by this ordinance. In addition, the ordinance creates for one department of city government, i. e., Community Development and Planning, a different set of rules than for any other department of city government. Such action creates additional handling and time for both the administration and the Common Council.

The state statutes dealing with this matter are: I. C. 5-17-1-1 through and including I. C. 5-17-1-9. This act specifically provides that any purchase in excess of \$4,000 must be properly bid and contracted for, and that upon receiving a satisfactory bid, a contract may be awarded to the lowest and best bidder. The statute excludes the necessity for entering into a contract for items costing less than \$4,000. I would point out that the ordinance uses an amount of \$2,000.

I. C. 18-5-3-1 deals with the sale or exchange of real estate by the city, and requires City Council approval. I. C. 18-5-3.3-1 provides for the leasing of real estate by the city.

In addition to the state statutes mentioned, the Indiana Legislature is currently considering increasing the minimum amounts required for receiving bids from \$4,000 to \$15,000. In light of that proposal, it would seem unwise for the City of Fort Wayne to reduce the amount from \$4,000 to \$2,000. Additionally, the Common Council has expressed no reason for having a lower amount or a more burdensome requirement for the Department of Community Development and Planning than is required by state statute.





Page Two  
Members of the Common Council  
February 4, 1977

While I am most anxious to have the City Council be fully informed as to the conduct of city business by this administration, I believe it is unwise to put an additional bureaucratic burden upon the various departments of city government and upon the Common Council itself to consider routine matters by way of city ordinance. I believe such action tends to detract from the Common Council's deliberation and consideration of the many important decisions which must be made. The volume of city ordinances that will have to be presented to Common Council by virtue of this ordinance will be increased substantially. It is my hope that more attention can be placed upon those items and those decisions which must be made with dispatch concerning the future of our community.

While I do not wish in any way to discourage your active interest in every facet of city government, I do believe that it would be wise for the Common Council to reconsider its action in creating this additional burden both upon the administration and on Common Council and I ask that you uphold this veto.

I attach hereto a letter from the president of Neighborhood Care, Inc., Mr. Ian Rolland, regarding his view of the ordinance.

Dated this 4th day of February, 1977.

A handwritten signature in cursive script, reading "Robert E. Armstrong". The signature is written in dark ink and is positioned above the printed name.

Robert E. Armstrong  
Mayor

REA:lp  
Attachment